
Update on future working arrangements for the PPP

Committee considering report:	JPPC
Date of Committee:	1 st November 2021
Portfolio Member:	Councillor John Harrison (Chairman) Councillor Hilary Cole (Vice Chairman)
Date Portfolio Member agreed report:	18 th October 2021
Report Author:	Paul Anstey
Forward Plan Ref:	JPPC4132

1 Purpose of the Report

- 1.1 To provide an update on the progress of the Traded Services negotiations with Wokingham BC and how they impact on the future operational delivery of the Public Protection Partnership (PPP).
- 1.2 To clarify the role of the Joint Management Board (JMB) and identify key risks and opportunities arising from the organisational change for the PPP in 2022/23.

2 Recommendation

- 2.1 Within the context of the existing Inter Authority Agreement, and the future Traded Services Agreement, to approve the Joint Management Board's role and governance approach as outlined in 5.14.
- 2.2 Within the context of the existing Inter Authority Agreement, and the future Traded Services Agreement, to approve the approach to financial management and budget setting as outlined in 5.16.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are references to financial management and budget setting in this report, but there are no specific budget implications from this report.

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<p>Human Resource:</p>	<p>There are references to organisational change and the processes being undertaken but there are no direct HR implications arising from this paper.</p>
<p>Legal:</p>	<p>There are references to both the Heads of Terms and final Agreement for Traded Services but there are no direct Legal implications arising from this paper. All these matters have had reports specifically to address Legal issues. The approaches to governance being proposed in this report relate to the Joint Management Board and how it should operate under the new arrangements in 2022/23. This is all in line with the requirements of the Inter Authority Agreement that was approved in 2017. Any new legal agreements relating to changes in the IAA between West Berkshire and Bracknell will be considered separately.</p>
<p>Risk Management:</p>	<p>The project governance board have been provided a series of project highlight reports to identify risks and proposed mitigation, the broad categories of risk is as follows:</p> <ul style="list-style-type: none"> - Management capacity; - Staff morale; - Operational response to COVID -19 matters; - Transfer of Undertaking (Protection of Employment) (TUPE) (interpretation dispute and operational disruption); - Media communication/coverage; - Financial liabilities; - Contracts with suppliers; - Single Case Management System project; - Inter Authority Agreement interpretation dispute; and - Availability of key staff over summer holiday period
<p>Property:</p>	<p>There are no direct property implications from this report. Consideration will need to be given to the use of Theale Gateway as part of future PPP operations but this is not a short term issue.</p>
<p>Policy:</p>	<p>Consideration will need to be given to the PPP policy framework as part of the process. At this stage the following are in development and/or review:</p> <ul style="list-style-type: none"> - Business Plan 2022/23 - Workforce Strategy - Quality Management Systems

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- Communication and Engagement				
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		Plans have been put in place to mitigate disruption from data migration projects and operational requirements for case management systems.
Digital Services Impact:		X		Plans have been put in place to support website redesign.
Council Strategy Priorities:		X		With careful planning and mitigation measures the PPP should be able to continue delivering a sustainable service.
Core Business:			X	It is inevitable that there will be some management capacity issues to deal with

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				the implications of the report, this will impact on Covid response and other BAU.
Data Impact:		X		
Consultation and Engagement:	Damian James – Bracknell Forest Stephen Brown – Wokingham Sean Murphy – PPP Manager			

4 Executive Summary

- 4.1 Both Wokingham and West Berkshire Executives have now made clear decisions on the future working arrangements of the PPP. Traded Services will be operating in 2022 and this needs to be suitably managed through the Joint Management Board.
- 4.2 The next stage in the organisational change process has begun, asking PPP employees to express an interest in roles that form the structure for Wokingham's new Enforcement and Safety Service. The outcome of this will impact on the PPP workforce and what priorities are set by elected members of the remaining partner authorities.
- 4.3 It is important to understand the way information will be presented to the Joint Public Protection Committee in the future and how recent events may change policy and procedure. The approach towards risk, financial management and budget setting is very important to ensuring a positive and constructive relationship. Awareness of how to operate a Traded Service, with Wokingham as a client, as opposed to a partner is an important distinction for the management teams and achieving transparency now will improve the likelihood of success.

5 Supporting Information

Introduction

- 5.1 The JPPC has had a series of updates relating to the organisational change process being implemented since Wokingham termination notification. This report follows up on the issues these updates have been raising and starts the conversation about what the PPP arrangements will be in 2022/23.

Background

- 5.2 In order to proceed with the complex process of PPP organisational change a series of reports were required to be submitted across the partners various governance groups.
- 5.3 At the last JPPC meeting on 13th September a summary progress report was approved, resolving that the principles of 'Buy-Back' (now referred to as Traded Services) be supported and that each partner authority approves the draft heads of terms through their most appropriate governance route.

Wokingham Executive Decision

- 5.4 At the Executive meeting of 30th September, Agenda Item 44 was the report titled 'Future Part Provision of Regulatory Services by West Berkshire Council'. (<https://wokingham.moderngov.co.uk/documents/g3989/Public%20reports%20pack%2030th-Sep-2021%2019.00%20Executive.pdf?T=10>). All the recommendations were approved.
- 5.5 The report outlined the Heads of Terms and delegated authority to the Director of Place and Growth and Deputy Chief Executive (and Section 151 Officer), in consultation with the Lead Member for Finance and Housing, to complete the agreement of the final terms with West Berkshire and completion of the agreement.
- 5.6 On 6th October Wokingham's Community and Corporate Overview and Scrutiny Committee considered a paper called 'Bringing the Public Protection Service Back In-House' (<https://wokingham.moderngov.co.uk/documents/s50571/Bringing%20the%20Public%20Protection%20Service%20back%20in-house.pdf>).
- 5.7 This built on the Executive discussions around 3 objectives; integrated service delivery, control and influence and improved service delivery.
- 5.8 None of these decisions have been called-in.

West Berkshire Executive Decision

- 5.9 At the Executive meeting of 14th October 2021 Agenda Item 6 was the report titled 'Update on Wokingham Exit from the PPP'. (<http://decisionmaking.westberks.gov.uk/documents/g6287/Public%20reports%20pack%2014th-Oct-2021%2017.00%20Executive.pdf?T=10>). All the recommendations were approved.
- 5.10 The report summarised the various elements of the process that were progressing and how West Berkshire was planning to work collaboratively with Wokingham. It did also note where there were differences of view and how they would be managed.
- 5.11 In addition the negotiation parameters for Traded Services with Wokingham were also agreed. This follows from the Wokingham decision to agree the budget to pay for them.
- 5.12 None of these decisions have been called-in.

Key Risks

5.13 The Role of the Joint Management Board (JMB)

The JMB is formed under the requirements of the Inter-Authority Agreement. All PPP risks have and continue to be managed through the JMB who meet every 2 weeks. It is made up of the following officers:

- Assistant Director – Contract Services (Bracknell Forest)
- Assistant Director – Place (Wokingham)

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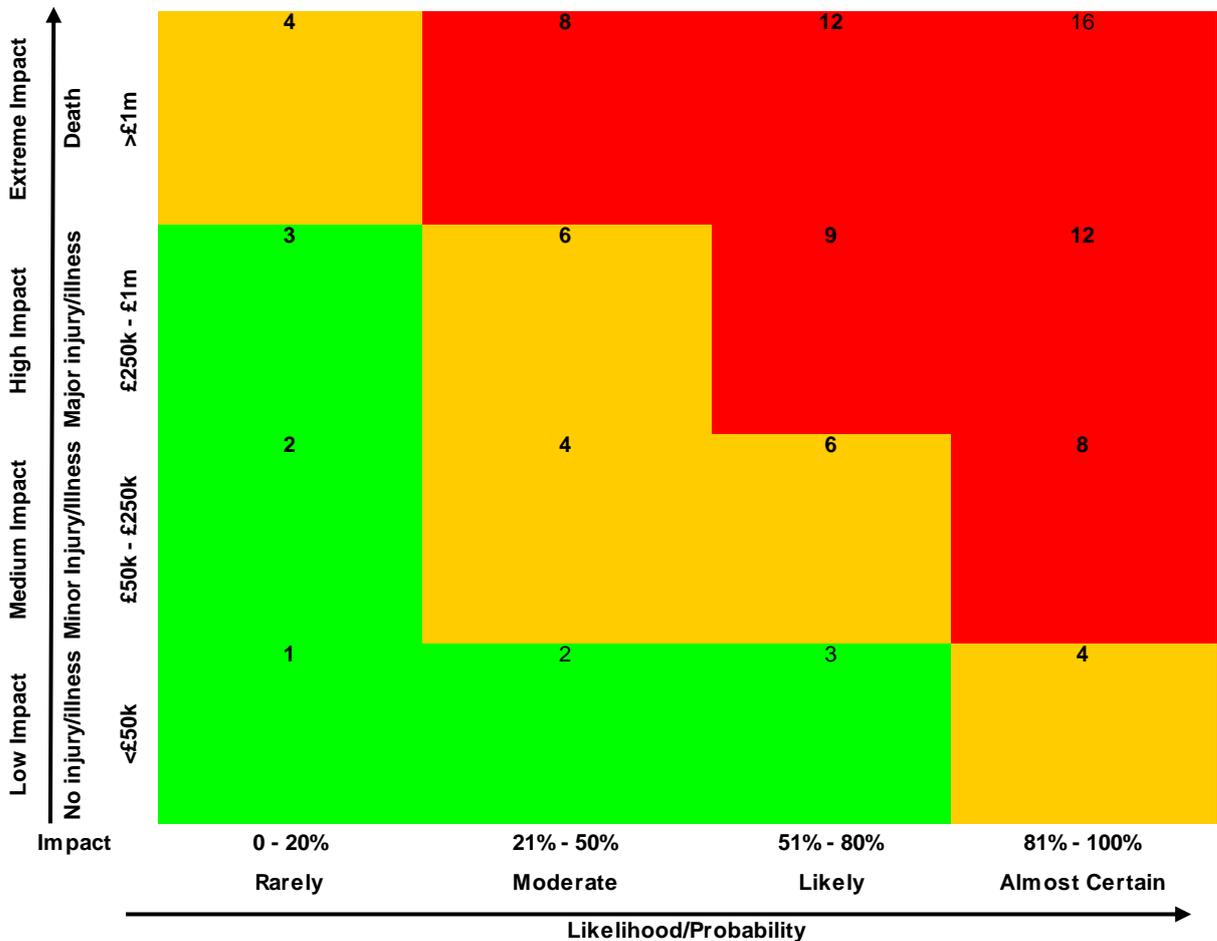
- Service Director – Development and Regulation (West Berkshire) (previously Head of Public Protection and Culture)
- Public Protection Service Manager
- All PPP Strategic Managers
- Principal Officer Governance and Policy

From April 2022 all JMB meetings will have a 2 part agenda, separating the PPP management and the Traded Services management to enable the Wokingham Client Officer the opportunity to oversee performance and risk. It is very important to maintain open and positive communication between all members of the JMB and the Wokingham Client Officer.

The JMB will continue to approve and submit all reports through to the JPPC. After March 31st 2022 Wokingham will no longer attend JPPC. The Traded Services Agreement will outline all the governance arrangements and JPPC will be kept informed of all strategic and finance matters in the same way that other Traded Services are reported now i.e. Case Management.

5.14 Assessing Risk

The PPP management team produce a risk register which is reviewed at each JMB meeting. The principles are based on the following matrix:



5.15 Financial Management and Budget Setting

Each month the JMB receive an update from the PP Service Manager about the financial performance of the PPP. These briefings are then summarised and included in reports provided to the JPPC. This process will not be affected by the organisational change. To aide good governance all monies exchanged between Wokingham and PPP will be handled through a separate cost centre.

This also includes the need to carefully monitor external grant funding that the PPP and/or Wokingham may be awarded to carry out their functions. JMB will be responsible for ensuring that these funds are spent according to any conditions set and that resources are appropriately identified as grant funded, to avoid any confusion at year end.

Colleagues from West Berkshire finance will be able to monitor this and contribute to the end of year assessment of performance, as set out in the Traded Services Agreement. This data will be presented to the Wokingham Client Officer and it is important to the PPP to ensure Wokingham feel well informed about how their budget is being spent.

The principles of cost recovery remain and each year the PPP will evaluate its costs and recommend fees appropriately to ensure a balanced budget can be achieved. It is important to note that JPPC provides a recommendation that is then in turn considered by each partner authority. For West Berkshire and Bracknell this process will remain unchanged.

All discussions with Wokingham about Traded Services will be based on this and decisions relating to the future costs of these services will be managed through the JMB. The Wokingham Client Officer will be responsible for presenting this information to their appropriate decision making groups. Each year as laid out in the Traded Services Agreement, the level of service and associated costs will be agreed. If at any stage there is a change in demand or priority which leads to a potential risk of a budget shortfall to pay for services the PPP need to provide, the JMB will provide a recommendation to the Wokingham Client Officer outlining the operational impact and how best to mitigate risk. It is anticipated that the Wokingham Client Officer will also advise the PPP of policy decisions which could materially impact on the allocation of PPP resources i.e. fees and charges that may need to be amended to ensure cost recovery.

5.16 ICT

Data sharing will be a significant challenge for the PPP and Wokingham under the new arrangements. The operational implications of operating across 2 different systems (Tascomi for PPP and Flare for Wokingham) are still to be mapped and whilst good progress has been made on data migration this is likely to cause some early problems for the management teams of both the PPP and Wokingham services. This will be reported on in more detail in subsequent JPPC meetings with a view to agreeing practical mitigation measures.

5.17 New Burdens

As has been demonstrated through Covid-19, it is likely that there will be changes to the way the PPP, and regulatory services generally, will be asked to operate. This is often through changes in law or a shift in political priority. It is anticipated that all new burdens will be raised through JMB and assessed using the principles outlined in 5.14.

As with any Traded Service, the PPP must evaluate the impact of any new burden and provide the client with a view about what can be achieved. This may be to assess the additional resource requirements or to indicate what other services could be reduced to accommodate it. As happens now, JMB will provide JPPC with an annual assessment of resources and performance and any in-year new burdens can be summarised to determine the implications, if any, for budget setting purposes.

Key Opportunities

5.18 Re-Evaluation of PPP Priorities

From April 2022 Environmental Health and Licensing will no longer be provided by the PPP in Wokingham (acknowledging some discreet areas of work agreed in the Traded Services). This presents an opportunity for the JMB to discuss how this changes the composition of the overall workload demands and if there are any ways to improve operational effectiveness. Early indications are that there will be some noticeable changes e.g. licensing and events, where the PPP can shift some emphasis in the way teams prioritise their 12mth demand profiles. Any requests for a change in priorities will be submitted to JPPC for a decision.

This process has started and JMB have liaised with Bracknell Forest members (West Berkshire workshop is being arranged) to understand the main themes for future business planning, this included;

- Housing standards and enforcement;
- Conversion of office blocks to residential;
- Animal welfare;
- Fly-tipping;
- Door to door sales;
- Licencing;
- Air quality linked to climate change;
- Houses in multiple occupation; and
- Communication on the service and its successes.

These discussions will influence the content and objectives of the PPP Workforce Strategy in order to ensure the PPP has the right skills to deal with the operational demands of the future.

5.19 ICT

As has been reported for many months, the PPP has often found ICT to be a barrier to improvements in operational effectiveness and efficiency. This is down to wide range of factors and it is common to find inter-operability issues when working in complex partnership arrangements that have been customised over many years. The single case

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management system (Tascomi) is due to come on line for the PPP in the new financial year and it remains a significant opportunity to improve both customer and staff experiences. The ability to capture online data first time and offer real-time response, coupled with much reduced back office administration should lead to a real feeling of progress and overall improvement in customer satisfaction.

Organisational Change Next Steps

- 5.20 The Expressions of Interest process was started on 15th October and aims to attract as many PPP staff as possible to populate the new Wokingham Enforcement and Safety Service structure.
- 5.21 This closes on November 12th and at this stage the JMB will be able to consider the implications on its structure and what changes should be made, if any, to accommodate priorities and staff requirements.
- 5.22 Any redundancy costs arising from this will be considered as part of the final Executive decision due to be made on 16th December. The Traded Services and current vacant posts (circa £150-200k of revenue budget) remain the two main cost mitigation measures available to the PPP.

Proposals

- 5.23 Within the context of the existing Inter Authority Agreement, and the future Traded Services Agreement, to approve the JMB's role and governance approach as outlined in 5.14.
- 5.24 Within the context of the existing Inter Authority Agreement, and the future Traded Services Agreement, to approve the approach to financial management and budget setting as outlined in 5.16.

6 Other options considered

- 6.1 Joint Management Board have evaluated the likely impacts of meeting the Wokingham Client Officer less frequently, or in a different format of meeting, but these were discounted on the grounds of unnecessary duplication of effort, risks of overloading PPP Managers diaries with meetings and the reality that many topics will have overlap with Wokingham corporate issues. These risks are dealt with under the existing JMB governance arrangements.

7 Conclusion

- 7.1 The role of the JMB in the PPP is very important and will continue to have a pivotal role in managing the relationship with Wokingham in 2022 and beyond. How the risks, finances and organisational change are monitored will be key to the success of the new arrangements and the interaction with the new Wokingham Client Officer will take time to settle.
- 7.2 Inevitably there will be individual decisions to make in relation to how the PPP best delivers against the new Traded Services arrangements and as with all complex

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projects it is important that communication, transparency and trust is established early, maintained and protected for what will be a long term deal for all parties.

- 7.3 The opportunity for the PPP to engage with elected members and ensure that it is delivering their priorities is an important element of this overall project and one that all of the JMB is committed to achieving.

8 Appendices

None.

Background Papers:

None

Subject to Call-In:

Yes: No:

- | | |
|--|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input checked="" type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input checked="" type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months | <input type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Wards affected: All

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